REMARKS

1. Present Status of Patent Application

In response to the final Office Action dated July 23, 2007, Applicant respectfully requests reconsideration based on the following amendments and remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

2. Response to Objection of Claims

Claims 45-46 have been objected to for having improper dependencies. Claims 45-46 have been amended to correct the nature of the objections. Withdrawal of the objections is respectfully requested.

3. Response to Rejection of Claims under 35 U.S.C. § 101

Claims 49-58 have been rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

MPEP 2106 states that statutory subject matter may be characterized by structural and functional interrelationships between an element of a computer and other elements of the computer. Accordingly, claim 49, as presently presented, recites that a computer readable medium having a program that causes a computer to perform a recited method when the computer executes the program. As such, Applicant respectfully submits that claim 49 is characterized by structural and functional interrelationships between a computer and computer readable medium. Therefore, withdrawal of the rejections of claims 49-58 is respectfully requested.

Further, Applicant notes that it is the view of the Patent Office that:

> [t]he computer readable medium must be physical structure which provides the functional descriptive material in usable form to permit the functionality to be realized with the computer. A program product which does not explicitly include such a medium, a program per se, a signal or other type of transmission media that fails to include the hardware necessary to realize the functionality (e.g., a transmitter or a receiver), and a piece of paper with the functional descriptive material written on it are all examples of media which are not believed to enable the functionality to be realized with the computer.

See http://www.uspto.gov/web/offices/pac/compexam/interim_guide_ subj_ matter_ eligibility.html (Emphasis added). Accordingly, claims 49-59 as presented do not cover or encompass a signal, paper, *etc*. since a signal, paper, *etc*. are not believed by the Patent Office to enable functionality to be realized with a computer and claims 49-58 recite that the computer readable medium causes a computer to perform operations recited in the claim. For at least this reason, withdrawal of the rejection of claims 49-58 is respectfully requested.

Further, the claims have been amended to recite that the computer readable medium comprises a tangible medium. For at least this reason, the rejection of claims 49-58 should be withdrawn.

4. Response to Rejection of Claims Under 35 U.S.C. § 103(a)

Claims 29-32, 39-42, and 49-52 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Rounthwaite* (U.S. Patent Publication No. 2004/0167964) in view of *Goldman* (U.S. Patent Application Publication No. 2003/0233418). Claims 33-35, 38, 43-45, 48, 53-55, and 58 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Rounthwaite* in view of *Goldman* in view of *Gordon* (U.S. Patent No. 6,732,157). Claims 36, 37, 46, 47, 56, and 57 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Rounthwaite* in view of *Goldman* in view of *Gordon* in further view of *Gross* (U.S. Patent No. 6,782,510).

a. Claim 29

As provided in independent claim 29, Applicant claims:

> An email filtering system comprising:
>
> an electronic messaging client for viewing electronic messages addressed to a user, the electronic messaging client ***having a single graphical user interface control to provide, to the user, options for configuring each of a plurality of detection mechanisms that detect undesired electronic messages from incoming electronic messages retrieved for the user, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect***

> ***undesired electronic messages, wherein the plurality of detection mechanisms include:***
>
> ***a first detection mechanism that detects an email message if the sender of the email message is not on a list of senders authorized by the user;***
>
> ***a second detection mechanism that detects an email message if the sender of the email is on a list of unauthorized senders;***
>
> ***a third detection mechanism that detects an email message if the email message contains a textual content string that is on a list of unauthorized textual content string; and***
>
> ***a fourth detection mechanism that is configured to:***
>
> > ***analyze the overall content of previous email messages that have been detected;***
> >
> > ***compare the content of an email message to the overall content and assign a score reflective of a level of similarity for the email message; and***
> >
> > ***detect the email message if the score is higher than a designated score.***

(Emphasis added).

Applicant respectfully submits that independent claim 29 is allowable for at least the reason that *Rounthwaite* in view of *Goldman* does not disclose, teach, or suggest at least "having a single graphical user interface control to provide, to the user, options for configuring each of a plurality of detection mechanisms that detect undesired electronic messages from incoming electronic messages retrieved for the user, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages, wherein the plurality of detection mechanisms include: a first detection mechanism that detects an email message if the sender of the email message is not on a list of senders authorized by the user; a second detection mechanism that detects an email message if the sender of the email is on a list of unauthorized senders; a third detection mechanism that detects an email message if the email message contains a textual content string that is on a list of unauthorized textual content string; and a fourth detection mechanism that is configured to: analyze the overall content of previous email messages that have been detected; compare the content of an email message to the overall content and assign a score reflective of a level of similarity for the email message; and detect the email message if the score is higher than a designated score," as recited and emphasized above in claim 1.

For example, *Rounthwaite* describes a system for filtering messages where a first filter 106 may be used over a second filter 108. "However, if the second filter 108 is determined to be at least as efficient as the first filter 106, the first filter control 104 can decide to route the message(s) 102 to the second filter 108." Para. 0027. *Rounthwaite* further explains how a threshold is selected such that if false positive and false negative rates for the second filter are lower than the threshold, than the second filter is used. Otherwise, the first filter is used. Accordingly, *Rounthwaite* discloses that use of the first filter depends on whether the second filter is to be used. *See* para. 0042. A capability to independently to activate or deactivate independently one of the filters in *Rounthwaite* does not exist. For at least this reason, *Rounthwaite* fails to teach or suggest "having a single graphical user interface control to provide, to the user, options for configuring each of a plurality of detection mechanisms that detect undesired electronic messages from incoming electronic messages retrieved for the user, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as recited in claim 29.

Further, *Goldman* describes removal of mail from an unauthorized sender, where a sender's address is categorized as authorized, unauthorized, or unconfirmed. Accordingly, *Goldman* provides access for a user to select whether a sender's address should be categorized as authorized, unauthorized, or unconfirmed. *See, e.g.*, para. 0077. This is not analogous to a single graphical user interface control as recited in the claim. As such, *Goldman* fails to teach or suggest "an electronic messaging client for viewing electronic messages addressed to a user, the electronic messaging client having a single graphical user interface control to provide, to the user, options for configuring each of a plurality of detection mechanisms that detect undesired electronic messages from incoming electronic messages retrieved for the user, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as recited in claim 29.

Moreover, the cited art fails to teach or suggest at least "wherein the plurality of detection mechanisms include: a first detection mechanism that detects an email message if the sender of the email message is not on a list of senders authorized by the user; a second detection mechanism that detects an email message if the sender of the email is on a list of unauthorized senders; a third detection mechanism that detects an email message if the email message contains a textual content string that is on a list of unauthorized textual content string; and a fourth detection mechanism that is configured to: analyze the overall content of previous email messages that have been detected; compare the content of an email message to the overall content and assign a score reflective of a level of similarity for the email message; and detect the email message if the score is higher than a designated score," as recited in claim 29.

As a result, a *prima facie* case of obviousness has not been established, and claim 29 is patentable over the proposed combination of *Rounthwaite* in view of *Goldman*. Therefore, withdrawal of the rejection of claim 29 is respectfully requested.

b. Claims 30-38

Claim 29 is allowable over the cited art of record for at least the reasons given above. Since claims 35-38 depend from claim 29 and recite additional features, claims 35-38 are allowable as a matter of law over the cited art of record. *Gordon* and *Gross* are legally inadequate to remedy the deficiencies of the *Rounthwaite* and *Goldman* references.

For example, *Gordon* describes that a "system, method and computer program product are provided for filtering unwanted electronic mail messages. After receiving electronic mail messages, the electronic mail messages that are unwanted are filtered utilizing a combination of techniques including: compound filters, paragraph hashing, and Bayes rules. The electronic mail messages that are filtered as being unwanted are then categorized." *See* Abstract. *Gordon* discloses separate email and spam client and does not suggest a consolidate graphical interface for an email client for configuring detection mechanism for undesired electronic messages. Further, *Gordon* discloses a global filter server and a user filter server which is subservient to the global filter server. See col. 8, lines 1-43. Thus, *Gordon* discloses a mechanism that is incapable of independent operation in accordance with an individual user's preferences. Also, *Gordon* describes that a "user may further be able to add personal filters to the compound layer (by using a filter wizard) and to the paragraph hashing layer (through the use of a one-click block mechanism" so that the user can tweak functionality of a compound filter or paragraph hashing but is not shown to be able to activate or deactivate such filtering.

As such, *Gordon* fails to teach or suggest "an electronic messaging client for viewing electronic messages addressed to a user, the electronic messaging client having a single graphical user interface control to provide, to the user, options for configuring each of a plurality of detection mechanisms that detect undesired electronic messages from incoming electronic messages retrieved for the user, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as recited in claim 29.

Further, *Gross* describes a system for checking for "improper" word usage in documents prepared by a user and not messages addressed to a user. Further, *Gross* discloses checking for the "proper" word usage desired by an author of a document, but *Gross* does not check for desired usage by a recipient of the document. Also, *Gross* does not provide an interface for activating/deactivating at least three different detection mechanisms to undesired electronic messages received by a user. For at least these reasons, *Gross* fails to teach or suggest "an electronic messaging client for viewing electronic messages addressed to a user, the electronic messaging client having a single graphical user interface control to provide, to the user, options for configuring each of a plurality of detection mechanisms that detect undesired electronic messages from incoming electronic messages retrieved for the user, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as recited in claim 29.

Claims 30-34 are canceled without prejudice, waiver, or disclaimer, and therefore, the rejection to these claims are rendered moot. Applicant takes this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicant reserves the right to pursue the subject matter of these canceled claims in a continuing application, if Applicant so chooses, and does not intend to dedicate any of the canceled subject matter to the public.

Accordingly, claims 35-38 which depend from claim 29 are allowable over the cited art.

c. Claim 39

As provided in independent claim 39, Applicant claims:

> A method for providing electronic messaging, comprising:
> providing a plurality of detection approaches for detecting undesired email messages; and
> ***providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages***.

(Emphasis added).

Applicant respectfully submits that independent claim 39 is allowable for at least the reason that *Rounthwaite* in view of *Goldman* does not disclose, teach, or suggest at least "providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as emphasized above.

For example, *Rounthwaite* describes a system for filtering messages where a first filter 106 may be used over a second filter 108. "However, if the second filter 108 is determined to be at least as efficient as the first filter 106, the first filter control 104 can decide to route the message(s) 102 to the second filter 108." Para. 0027. *Rounthwaite* further explains how a threshold is selected such that if false positive and false negative rates for the second filter are lower than the threshold, than the second filter is used. Otherwise, the first filter is used. Accordingly, *Rounthwaite* discloses that use of the first filter depends on whether the second filter is to be used. *See* para. 0042. A capability to independently to activate or deactivate independently one of the filters in *Rounthwaite* does not exist. For at least this reason, *Rounthwaite* fails to teach or suggest "providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as recited in claim 39.

Further, *Goldman* describes removal of mail from an unauthorized sender, where a sender's address is categorized as authorized, unauthorized, or unconfirmed. Accordingly, *Goldman* provides access for a user to select whether a sender's address should be categorized as authorized, unauthorized, or unconfirmed. *See, e.g.*, para. 0077. This is not analogous to a single graphical user interface control as recited in the claim. As such, *Goldman* fails to teach or suggest "providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as recited in claim 39.

As a result, a *prima facie* case of obviousness has not been established, and claim 39 is patentable over the proposed combination of *Rounthwaite* in view of *Goldman*. Therefore, withdrawal of the rejection of claim 39 is respectfully requested.

d. Claims 40-48

Claim 39 is allowable over the cited art of record for at least the reasons given above. Since claims 40-42 depend from claim 39 and recite additional features, claims 40-42 are allowable as a matter of law over the cited art of record. *Gordon* and *Gross* are legally inadequate to remedy the deficiencies of the *Rounthwaite* and *Goldman* references. Accordingly, claims 43-48 which depend from claim 39 are allowable over the cited art.

e. Claim 49

As provided in independent claim 49, Applicant claims:

> A computer readable medium comprising a tangible medium embodied with an embedded computer program for providing electronic messaging, the program when executed by a computer causes the computer to perform:
>
> providing a plurality of detection approaches for detecting undesired email messages; and
>
> ***providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages***.

(Emphasis added).

Applicant respectfully submits that independent claim 49 is allowable for at least the reason that *Rounthwaite* in view of *Goldman* does not disclose, teach, or suggest at least "providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as emphasized above.

For example, *Rounthwaite* describes a system for filtering messages where a first filter 106 may be used over a second filter 108. "However, if the second filter 108 is determined to be at least as efficient as the first filter 106, the first filter control 104 can decide to route the message(s) 102 to the second filter 108." Para. 0027. *Rounthwaite* further explains how a threshold is selected such that if false positive and false negative rates for the second filter are lower than the threshold, than the second filter is used. Otherwise, the first filter is used. Accordingly, *Rounthwaite* discloses that use of the first filter depends on whether the second filter is to be used. *See* para. 0042. A capability to independently to activate or deactivate independently one of the filters in *Rounthwaite* does not exist. For at least this reason, *Rounthwaite* fails to teach or suggest "providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as recited in claim 49.

Further, *Goldman* describes removal of mail from an unauthorized sender, where a sender's address is categorized as authorized, unauthorized, or unconfirmed. Accordingly, *Goldman* provides access for a user to select whether a sender's address should be categorized as authorized, unauthorized, or unconfirmed. *See, e.g.*, para. 0077. This is not analogous to a single graphical user interface control as recited in the claim. As such, *Goldman* fails to teach or suggest "providing access to each of the detection approaches from a single graphical interface control, the single graphical user interface control enabling the user to activate and deactivate each of the plurality of detection mechanisms independently of one another in order to provide a desired level of protection from undesired electronic messages, wherein the plurality of detection mechanisms comprise at least three different detection mechanisms used to detect undesired electronic messages," as recited in claim 49.

As a result, a *prima facie* case of obviousness has not been established, and claim 49 is patentable over the proposed combination of *Rounthwaite* in view of *Goldman*. Therefore, withdrawal of the rejection of claim 49 is respectfully requested.

f. Claims 50-58

Claim 49 is allowable over the cited art of record for at least the reasons given above. Since claims 50-52 depend from claim 49 and recite additional features, claims 50-52 are allowable as a matter of law over the cited art of record. *Gordon* and *Gross* are legally inadequate to remedy the deficiencies of the *Rounthwaite* and *Goldman* references. Accordingly, claims 53-58 which depend from claim 49 are allowable over the cited art.

CONCLUSION

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

For at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

/CWG/
Charles W. Griggers, Reg. No. 47,283

THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.
Suite 1500
600 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500